

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

<b>MATTHEW V. BLACKWELL,</b>	:	
	:	
Petitioner	:	<b>CIVIL ACTION NO. 3:23-0062</b>
	:	
v	:	<b>(JUDGE MANNION)</b>
	:	
<b>WARDEN SAGE,</b>	:	
	:	
Respondent	:	

**MEMORANDUM**

**I. Background**

Matthew V. Blackwell, a former inmate confined in the Schuylkill Federal Correctional Institution, Minersville, Pennsylvania, filed the above captioned petition for writ of habeas corpus, pursuant to [28 U.S.C. §2241](#). (Doc. [1](#), petition).

Blackwell challenges the Bureau of Prisons’ (BOP) decision to apply time credits under the First Step Act toward home confinement instead of early release. *Id.* He also disputes the BOP’s decision to stop applying time credits for inmates when they are within 18 months of their release date. *Id.* As relief, Blackwell requests he be awarded “all of my First Step Act credits...” *Id.*

A review of the Federal Bureau of Prisons Inmate Locator reveals that Blackwell was released from SCI-Schuylkill custody on June 9, 2023. See <https://www.bop.gov/inmateloc/>.

For the reasons set forth below, the instant petition will be dismissed as moot.

## **II. Discussion**

The case or controversy requirement of Article III, §2 of the United States Constitution subsists through all stages of federal judicial proceedings. Parties must continue to have a “personal stake in the outcome of the lawsuit.” [Lewis v. Continental Bank Corp., 494 U.S. 472, 477–78 \(1990\)](#); [Preiser v. Newkirk, 422 U.S. 395, 401 \(1975\)](#). In other words, throughout the course of the action, the aggrieved party must suffer or be threatened with actual injury caused by the defendant. [Lewis, 494 U.S. at 477](#).

The adjudicatory power of a federal court depends upon “the continuing existence of a live and acute controversy.” [Steffel v. Thompson, 415 U.S. 452, 459 \(1974\)](#) (emphasis in original). “The rule in federal cases is that an actual controversy must be extant at all stages of review, not merely at the time the complaint is filed.” [Id.](#) at n.10 (citations omitted). “Past exposure to illegal conduct is insufficient to sustain a present case or

controversy ... if unaccompanied by continuing, present adverse effects.” [Rosenberg v. Meese, 622 F.Supp. 1451, 1462 \(S.D.N.Y. 1985\)](#) (citing [O’Shea v. Littleton, 414 U.S. 488 \(1974\)](#)). “[A] petition for habeas corpus relief generally becomes moot when a prisoner is released from custody before the court has addressed the merits of the petition.” [Lane v. Williams, 455 U.S. 624, 631 \(1982\)](#).

In the instant case, because Blackwell has been released from custody, his habeas petition has been rendered moot. See [Rodriguez-Leon v. Warden, 602 F. App’x 854 \(3d Cir. 2015\)](#); [Scott v. Schuylkill FCI, 298 F. App’x 202 \(3d Cir. 2008\)](#); [Scott v. Holt, 297 F. App’x 154 \(3d Cir. 2008\)](#).

### III. Conclusion

For the reasons stated above, the petition for a writ of habeas corpus will be **DISMISSED**. An appropriate order will follow.

s/ Malachy E. Mannion  
**MALACHY E. MANNION**  
**United States District Judge**

**Date: July 11, 2023**

22-0062-01